

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:12-CR-9-D

UNITED STATES OF AMERICA

v.

DENNIS RAY HOWARD,

Defendant.

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ORDER

The court hereby gives notice under Federal Rule of Criminal Procedure 32(h) that it is contemplating an upward departure because reliable information indicates that defendant's criminal history category substantially underrepresents the seriousness of defendant's criminal history or the likelihood that defendant will commit other crimes. See U.S.S.G. § 4A1.3(a)(2)(A); United States v. Howard, 773 F.3d 519, 528 (4th Cir. 2014); Def. Sent. Mem. [D.E. 112] 3 (recognizing that the court might find that "a departure is necessary to accomplish a purpose of sentencing").

SO ORDERED. This 20 day of May 2015.


JAMES C. DEVER III
Chief United States District Judge